

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
ANWAR RAO, et al.,)	No. 4:14CR150 JAR/TCM
GREG SLOAN, et al.,)	No. 4:14CR152 RWS/NCC
MARK PALMER, et al., and)	No. 4:14CR175 AGF/DDN
PAMELA TABATT, et al.,)	No. 4:14CR187 JAR/DDN
)	
Defendants.)	

**GOVERNMENT'S STATUS REPORT REGARDING PRE-TRIAL
DISCLOSURE OF EVIDENCE**

COMES NOW the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and James C. Delworth, Jennifer A. Winfield and Erin O. Granger, Assistant United States Attorneys for said district, and files this status response pursuant to the oral request of the Court during a pretrial conference on June 11, 2015, regarding pre-trial disclosure of evidence.

This status report will supplement the prior status reports filed in this case.

A) Discovery: The following discovery has been made available to date:

- | | | | |
|------|----------|--|---------------------------------|
| i) | Batch 1: | June 25, 2014 | Bates # NC00000001 - NC00007875 |
| ii) | Batch 2: | July 15, 2014 | Bates # NC00007876 - NC00014148 |
| iii) | Batch 3: | August 15, 2014 | Bates # NC00014149 - NC00015934 |
| iv) | Batch 4: | October 23, 2014
(including individualized 4As) | Bates #NC00015935 - NC00282695 |
| v) | Batch 5: | November 13, 2014 | Bates #NC00282696 - NC00284257 |

vi) Batch 6: January 8, 2015 Bates #NC00284264 - NC00313755
(including individualized 6As)

vii) Batch 7: March 12, 2015 Bates #NC00313756 - NC00341745
(including individualized 7As)

vii) Batches 4A, 6A and 7A contained personal information obtained from electronic storage system which included but was not limited to financial information, e-mails and photographs. This material was distributed only to defense attorneys representing the defendant from whom the electronic storage device was seized. The Government agreed to disclose this information to all parties subject to a protective order and consent by the parties as more fully discussed in the next section.

Note: All Batches were prepared with an Index of the contents to assist in the review of the discovery.

viii) Batch 8: Electronic storage device downloads, which are being processed and Bates stamped through a company in South Carolina, will be disclosed as soon as it is returned and copied. This material will be disseminated pursuant to the terms of the Protective Order.

ix) All physical items seized have been available to review upon request by the defense. On December 4, 2014, pursuant to a request by the defense, a number of defense attorneys viewed physical evidence stored at the Customs and Border Protection storage facility in St. Louis. This is one of a number of facilities being utilized to store physical evidence in this case.

B) Protective Order and Discovery Pursuant to Protective Order: As further referenced above, the Government disseminated Batches 4A, 6A and 7A, which contained personal information which related to the seizure of items, which included, but was not limited

to, electronic storage devices, financial information, e-mails and photographs. Some of the material contained personal information including but not limited to financial records, personal identification information, intimate photographs, and e-mail correspondence. The material is voluminous and in many instances intertwined. As part of the disclosure process, the government requested that each defendant, through counsel, execute an acknowledgment of the protective order and consent to disclose information. To date all but one of the 28 defendants encompassing all four indictments have executed this form. The sole defendant has not responded to the request. In light of the acknowledgments and consents executed by the other 27 defense attorneys, the government prepared a copy of Batches 4A, 6A and 7A, to disseminate to everyone with the exception of the lone non-responsive defendant. On June 18, 2015, the material was placed on an Addonics drive and provided to the designated defense counsel to load onto Relativity. A separate Addonics drive will be made available upon request to any defense counsel who has executed the acknowledgement and consent, to borrow in order to review and/or copy.

D) Other Computer Material: The government accessed the electronic storage devices through either consent or through a search warrant. The material that is provided through discovery represents the relevant accessed material, although due to the nature of the storage and intertwining of data, there will be some non-relevant material that cannot easily be excluded. However, in order to provide defendants with access to all of the material, an image has been made of the computers and is available upon request. These images contain the entire contents of the computer. To date, defendant Gabrick has requested this information and an Addonics drive containing the information was provided to defense counsel for two weeks to review and/or copy. The Addonics drive will contain all of the information on the computer,

including some internal working information, and is not set up to review in the same manner as accessing the original electronic storage device.

E) Additional Discovery: There have been a number of subjects who have agreed to cooperate throughout these proceedings. As part of their cooperation, the subjects have consented to provide the government with electronic storage devices to search, documents, and access to e-mail accounts. It is unknown if additional material will be made available to the government. However, if additional discovery is obtained by the government, this material will be disclosed to the defendants during the course of future discovery. The timing will be dependent upon accessing the material and putting it into a discoverable format. The amount of discovery is wholly dependent upon offers to cooperate and consent to access the information.

E) Plea Agreements: Beginning on Monday, June 15, and continuing through June 22, 2015, draft plea agreements were e-mailed to all parties in the case regardless of whether one had been requested in order to assist defendants in determining how they would like to resolve their respective cases.

WHEREFORE, the Government hereby files this status report regarding the status of the cases.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

/s/ James C. Delworth
JAMES C. DELWORTH, #29702MO
JENNIFER A. WINFIELD, #53350MO
ERIN O. GRANGER, #53593MO
Assistant United States Attorneys
111 South 10th Street, Room 20.333
St. Louis, MO 63102
(314) 539-2200

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2015, the foregoing was filed electronically with the Clerk of the Court for the United States District Court, Eastern District of Missouri, to be filed by operation of the Court's electronic filing system upon:

All Attorneys of Record.

/s/ James C. Delworth
JAMES C. DELWORTH, #29702MO
JENNIFER A. WINFIELD, #53350MO
ERIN O. GRANGER, #53593MO
Assistant United States Attorneys